

CITY OF MELBOURNE, FLORIDA
MINUTES – REGULAR MEETING BEFORE CITY COUNCIL
NOVEMBER 9, 2004



A regular meeting of the City Council was held in the City Council Chamber, 900 East Strawbridge Avenue, and was called to order at 6:30 p.m. by Mayor John A. Buckley.

1. Council Member Grace Walker gave the invocation.
2. Pledge of Allegiance
3. Roll Call.

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|----------|-----------------------------|------------------------------------------|
| Present: | John A. Buckley | Mayor |
| | Richard Contreras | Council Member, District 1 |
| | Ed Palmer | Council Member, District 2 |
| | Pat Poole | Council Member, District 3 |
| | Grace Walker | Council Member, District 4 |
| | Cheryl Palmer | Vice-Mayor, District 5 |
| | Loretta Isenberg-Hand | Council Member, District 6 |
| | Jack M. Schluckebier, Ph.D. | City Manager |
| | Paul R. Gougelman, III | City Attorney |
| | Cathleen A. Wysor | City Clerk |
| | Amy W. Elliott | Assistant City Manager |
| | Cindy Dittmer | Planning & Economic Development Director |

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|---------------|--------------|----------------------------------|
| Also Present: | Harry Goode | Mayor-Elect |
| | Mark LaRusso | Council Member-Elect, District 2 |
| | Kathy Meehan | Council Member-Elect, District 3 |

4. Proclamations and Presentations

Mayor Buckley displayed Certificates of Appreciation that will be presented to the Cocoa Cola Bottling Company in recognition of its donation to the City of Melbourne. During Hurricanes Charley, Frances and Jeanne, Manager Jeff Cutshall, on behalf of Coca Cola, donated 140 cases of soda, water, juice, etc. to the Melbourne Police Department.

5. Approval of Minutes - October 26, 2004 Regular Meeting

Moved by E. Palmer/Walker for approval. Motion carried unanimously.

6. City Manager's Report

City Manager Jack Schluckebier commented on the following items from the written report:

- *Florida League of Cities Legislative Conference* – Council Members were encouraged to attend the conference scheduled for November 17 – 19 in Orlando.

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- *Fourth Quarter Budget Review* – the review is expected to appear on the November 23 agenda for consideration.
- *Utility Bond Issue* – pricing occurred this morning, which was very successful.

Director of Finance Michele Ennis elaborated on the pricing of the 2004 bonds. She reported that competitive pricing was held at 11:00 a.m. today and acceptance of the bid by Citigroup Global Markets, Inc. has been transmitted to Public Financial Management, Inc. The final all-inclusive true interest cost for the \$33,730,000 bond issue is 4.47%. The new money portion of the issue is \$19,945,000 and the refunded portion is \$13,785,000. The refunding of the 1994A bonds generated net present value savings of \$683,051. Closing/delivery of the 2004 Bonds is scheduled for November 30.

7. Public Comments

None.

UNFINISHED BUSINESS

Moved by Contreras/E. Palmer to convene as the Babcock Street Community Redevelopment Agency for the following item. Motion carried unanimously.

8. COUNCIL ACTION RE: Palms 8 Theater Property (Postponed - 10/12/04 and 10/26/04 at the request of the applicant)
- a. Approval of final contract with Babcock Palms, LLC for the sale of the Palms 8 Theater property and authorization for the Chairman of the Community Redevelopment Agency (CRA) Board (the Mayor) to execute the contract.

City Attorney Paul Gougelman briefed Council. The following is an excerpt from the agenda report: This agreement is slightly revised from the plan approved by Council in May 2004. Coy Clark has revised his development orientation to an office building complex instead of a retail-based (Plan A) or residential-based (Plan B) development. City staff believes that the style of the plan would be an improvement for the area and the sale of the property for this type of development would be advantageous for the area. It would also delete any obligation of land use/zoning change from Commercial to Residential.

The Babcock Street CRA Advisory Committee was consulted twice about this since the plan changed. The Committee voted November 3, 2004 (five to one) in favor of advancing this revision and related agreement to Council for final approval. Further, it was the Committee's request that Council add the following conditions as part of any final site plan action:

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- The site retain some allowance for an entryway feature to the Babcock CRA, with added landscape and a gateway feature.
- Any future change away from this conceptual use be allowed an opportunity for review by the Babcock CRA Advisory Committee.

The agreement has been revised to avoid cost to the City regarding brokerage fees, and the City has allowed the use of transportation impact fee credits for up to five years. Because a part of the contract includes land that belongs to the City of Melbourne, the contract will need to be approved by the Babcock Street CRA and the City Council.

Attorney Gougelman noted that the exhibit to the contract has been distributed. He added that the closing will likely occur in January.

Council Member Loretta Hand asked if this will be the final development on this property. Attorney Gougelman replied that it should be. He pointed out that a key provision of the contract requires a deed restriction to be recorded. The restriction will prohibit certain types of noxious uses and acknowledges the development plan marked as Exhibit A as the conceptual plan of development. Although there will be minor changes through the process, this is basically “what you see is what you get.”

Moved by Contreras/Walker for approval of the revised agreement for the sale of the Palms 8 Theater property and authorization for the City Manager to execute the agreement.

Council Member Pat Poole said she will support this because it is a better project than what was previously proposed. And, she noted that the City will not be paying the brokerage fee.

The question was called. Motion carried unanimously.

Moved by E. Palmer/Poole for the City Council to reconvene for the remaining agenda items. Motion carried unanimously.

- b. Approval of final contract with Babcock Palms, LLC for the sale of the Palms 8 Theater property and authorization for the Chairman of the CRA Board (the Mayor) to execute the contract.

Moved by Poole/E. Palmer for approval of the revised agreement for the sale of the Palms 8 Theater property and authorization for the City Manager to execute the agreement. Motion carried unanimously.

9. ORDINANCE NO. 2004-79 (AR-2004-161) PARKWAY DRIVE/HARLOCK ROAD - ANNEXATION AREA C: (Second Reading/Public Hearing) An ordinance providing for a special election for an annexation mail ballot referendum for registered voters in the

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proposed annexation area, located adjacent to Parkway Drive and Harlock Road.
(First Reading - 10/26/04)

The City Attorney read Ordinance No. 2004-79 by title. Mayor Buckley opened the public hearing.

Jack Keel, 2670 Harlock Road, asked if he will be able to keep his horses and if the deed restrictions will stay the same once the property has been annexed and rezoned.

Mayor Buckley replied “exactly” except for the firing of guns.

Moved by Poole/E. Palmer for approval of Ordinance No. 2004-79.

Vice Mayor Cheryl Palmer said her concerns are the same as those voiced at the last meeting.

The question was called. The roll call vote was:

Aye: Contreras, E. Palmer, Poole, Walker, Hand and Buckley

Nay: C. Palmer

Motion carried.

10. ORDINANCE NO. 2004-80 (AR-2004-162) TURTLE MOUND ROAD/CONNORS COVE/HAMMOCK TRAIL - ANNEXATION AREA D: (Second Reading/Public Hearing) An ordinance providing for a special election for an annexation mail ballot referendum for registered voters in the proposed annexation area, located adjacent to Turtle Mound Road, Hammock Trail, Connors Cove, and Beth Lane. (First Reading - 10/26/04)

The City Attorney read the ordinance by title. There were no comments from the public.

Moved by Poole/Walker for approval of Ordinance No. 2004-80.

Mayor Buckley acknowledged Mrs. Palmer’s objections to this item.

The question was called. The roll call vote was:

Aye: Contreras, E. Palmer, Poole, Walker, Hand and Buckley

Nay: C. Palmer

Motion carried.

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11. ORDINANCE NO. 2004-81 (AR-2004-160) HAZELWOOD DRIVE ANNEXATION AREA: (Second Reading/Public Hearing) An ordinance providing for a special election for an annexation mail ballot referendum for registered voters in the proposed annexation area, located on Hazelwood Drive. (First Reading - 10/26/04)

Attorney Gougelman read Ordinance No. 2004-81 by title. Mayor Buckley opened the public hearing.

Preston Phillips, 1051 Hazelwood Drive, asked if this property could be zoned commercial.

Mr. Schluckebier explained that the Future Land Use Plans adopted by the County and the City for this area reflect residential. Commercial would be extremely unlikely. In the event that the neighborhood wanted to rezone to commercial, the area would have to petition for a change in zoning and, ultimately, the decision would be made by the City Council.

Moved by Poole/E. Palmer for approval of Ordinance No. 2004-81. The roll call vote was:

Aye: Contreras, E. Palmer, Poole, Walker, Hand, C. Palmer and Buckley

Nay: None

Motion carried unanimously.

12. ORDINANCE NO. 2004-82 (AR-2004-156) HARRIS CORPORATION ANNEXATION:
- a. A request for approval of an Annexation Agreement Release.
 - b. Ordinance No. 2004-82/AR-2004-156: (Second Reading/Public Hearing) An ordinance providing for annexation of 39 acres, located on the east side of John Rodes Boulevard, north of Dow Road. (Owner - Harris Corporation and 505 Partners, Inc.) (Applicant - City of Melbourne) (First Reading - 10/26/04)

Attorney Gougelman read Ordinance No. 2004-82 by title. There were no comments from the public.

Moved by C. Palmer/Contreras for approval of the annexation agreement release. The roll call vote was:

Aye: Contreras, E. Palmer, Poole, Walker, Hand, C. Palmer and Buckley

Nay: None

Motion carried unanimously.

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Moved by Poole/Walker for approval of Ordinance No. 2004-82.

Mrs. Poole said she is very pleased with the annexations on this agenda. They will add to our tax base, and new property won't be destroyed for development.

The question was called. The roll call vote was:

Aye: Contreras, E. Palmer, Poole, Walker, Hand, C. Palmer and Buckley

Nay: None

Motion carried unanimously.

13. ORDINANCE NO. 2004-83: (Second Reading/Public Hearing) An ordinance amending Chapter 23, Retirement and Pensions, Article VII, General Employees' and Special Risk Class Employees' Pension Plan, amending Benefits Amounts and Eligibility, clarifying that a member is required to complete six years of credited service, regardless of age, to be eligible for retirement benefits. (First Reading - 10/26/04)

The City Attorney read Ordinance No. 2004-83 by title. Mayor Buckley opened the public hearing. There were no comments.

Moved by E. Palmer/Walker for approval of Ordinance No. 2004-83. The roll call vote was:

Aye: Contreras, E. Palmer, Poole, Walker, Hand, C. Palmer and Buckley

Nay: None

Motion carried unanimously.

14. ORDINANCE NO. 2004-84 OPPORTUNITY DRIVE: (Second Reading/Public Hearing) An ordinance amending Chapter 28 by adopting the name Opportunity Drive for an existing unnamed right-of-way located west of North Drive. (First Reading - 10/26/04)

Attorney Gougelman read the ordinance by title. There were no comments from the audience.

Moved by Hand/E. Palmer for approval of Ordinance No. 2004-84. The roll call vote was:

Aye: Contreras, E. Palmer, Poole, Walker, Hand, C. Palmer and Buckley

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Nay: None

Motion carried unanimously.

15. RESOLUTION NO. 1906: A resolution reporting the outcome of the General Municipal Election conducted November 2, 2004, and setting forth the terms of the Mayor and the District 1, District 2, District 3, and District 5 Council Members.

Attorney Gougelman read the resolution by its title. City Clerk Cathy Wysor reported that the “official” Certificate of County Canvassing Board has been distributed along with the revised resolution. The recommendation is for approval of the resolution, as revised.

Moved by Hand/Contreras for approval of Resolution No. 1906 (as revised). Motion carried unanimously.

16. COUNCIL ACTION RE: Presentation of plaques to outgoing Council Members.

Mayor Buckley presented a plaque to Council Member Ed Palmer for his public service (November 1998 through November 2004). Mr. Palmer stated that this has been an exciting and interesting job. The City of Melbourne is a great place to live and Melbourne has a loyal, dedicated workforce. He concluded by noting that he leaves with a feeling that a great deal has been accomplished.

Mayor Buckley presented a plaque to Council Member Pat Poole (November 1986 through November 2004). Mrs. Poole thanked the citizens and her friends. She noted that it hasn't all been easy and stated that she will not stop working for Melbourne and its people. She noted that she will continue to comment on items in the future.

Vice Mayor Cheryl Palmer presented a plaque to Mayor Buckley (Council Member November 1986 through November 1996 and Mayor November 1996 through November 2004). Mayor Buckley said that it has been great working for the City and he has enjoyed every minute. He commented on how great the employees are and added that he hopes he has succeeded in keeping Melbourne a great City.

17. OATH OF OFFICE AND SEATING OF:

Mayor Harry Goode
Council Member Richard P. Contreras, District 1
Council Member Mark LaRusso, District 2
Council Member Kathy Meehan, District 3
Council Member Cheryl Palmer, District 5

Attorney Paul Gougelman administered the Oath of Office to the newly elected and re-elected Members.

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Mayor Goode introduced his wife, Linda, and recognized folks in the audience. He stated that all City employees work for the taxpayers. The taxpayers pay employees' salaries; therefore, employees must be responsive to our citizens.

18. TRANSITIONAL RECESS: Recess to allow time for outgoing members to leave the dais and incoming members to take their seats.

The City Council recessed at 7:21 p.m. and reconvened at 7:35 p.m.

Mayor Goode stated that it was his understanding Item #24 was being withdrawn by the applicant. From the audience, Mr. Ed Palmer (applicant) noted that he has withdrawn the item. There were no objections from Council to the item being withdrawn.

NEW BUSINESS

19. COUNCIL ACTION RE: Appointment of Vice-Mayor for 2004-2005

Mrs. Walker nominated Mrs. Hand and Mrs. Palmer nominated Mr. Contreras.

Moved by Walker/Hand to close the nominations. Motion carried unanimously. The vote was:

Contreras: LaRusso, Meehan, C. Palmer and Goode

Hand: Contreras, Walker and Hand

Appointed: Richard Contreras

20. COUNCIL ACTION RE: Appointment of Council Members to:

- a. Brevard Metropolitan Planning Organization (MPO) - one member to replace Mayor John A. Buckley**

Council Member Mark LaRusso nominated Mrs. Palmer and Mrs. Hand nominated Mayor Goode. Mayor Goode withdrew his name from consideration. He said that he will have enough on his agenda as Mayor and he would like to spread the appointments around.

The nominations were closed and, without objection, Mrs. Palmer was appointed to the MPO.

- b. Brevard Water Supply Board - confirmation by Council that Mayor Harry Goode will replace Mayor John A. Buckley**

Without objection, Council confirmed the appointment of Mayor Goode.

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c. Melbourne Airport Authority - two members to replace Mayor John A. Buckley and Council Member Ed Palmer

Mayor Goode called for nominations for Seat 1. Mrs. Hand nominated Richard Contreras and Mrs. Walker nominated Mark LaRusso. The nominations were closed.

The vote was:

Contreras: Hand, Contreras and Goode

LaRusso: LaRusso, Meehan, Walker, C. Palmer

Appointed: Mark LaRusso

Mrs. Palmer said she voted for Mr. LaRusso because a representative from Grumman already serves on the Airport Authority.

Mayor Goode called for nominations for Seat 2. Mrs. Hand made a motion to appoint Mayor Goode. Without objection Mayor Goode was appointed.

d. Melbourne-Palm Bay Area Chamber of Commerce - one trustee member to replace Council Member Ed Palmer

Mayor Goode and Council Member Grace Walker nominated Council Member Kathy Meehan. The nominations were closed and, without objection, Kathy Meehan was appointed.

e. Space Coast League of Cities - one voting delegate and one alternate voting delegate to replace Mayor John A. Buckley and Council Member Pat Poole. Additionally, appointment of three league members to replace Mayor John A. Buckley and Council Members Pat Poole and Ed Palmer.

Vice Mayor Contreras made a motion to appoint Mayor Goode as the voting delegate and, without objection, Mayor Goode was appointed.

Following a brief discussion about the three league member positions, the City Council appointed Richard Contreras, Mark LaRusso, and Cheryl Palmer.

f. Water System Advisory Board - confirmation by Council that Mayor Harry Goode will replace Mayor John A. Buckley

Council confirmed the appointment of Mayor Goode to this board.

21. CONSENT AGENDA:

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The City Manager referenced Item “l” and said in accordance with Council’s policy (engineering or construction contract in excess of \$50,000) that item may be removed from the consent agenda if Council wishes. Mrs. Hand stated that she would like the item removed.

Mayor Goode said that the agenda package contains all the information related to the consent agenda. If Members have questions, they should speak to staff before the meeting. During the meeting, the consent agenda should be brought up and voted on. If Members wish to have discussion on a particular item, the item should be removed and discussed two weeks later.

Mrs. Hand said she has questions on Item “d.” Mayor Goode said Item “d” has been removed from the agenda.

Regarding Item “k”, Mrs. Hand referenced the correspondence distributed from people opposed to the award of this contract to Kendall Towing. One writer indicated that people who have had their vehicles towed have complained of theft from their vehicles. Mrs. Hand stated that her husband’s wallet was stolen from Kendall Towing. She concluded by saying she can’t support this item.

Mayor Goode stated that Item “k” has been removed.

Mrs. Palmer said that it certainly speeds the process by not having discussion on the consent agenda; however, this is the only opportunity that Council Members have to speak to each other about the item.

Mayor Goode said if Council is going to micromanage, then it shouldn’t have a consent agenda. Mrs. Palmer said it will only be micromanaging if the Mayor insists on moving the items to a future agenda.

Mrs. Walker said that is certainly the Mayor’s opinion; however, she would like the opportunity to discuss items.

From the audience, a person asked to speak about the Kendall Towing item. Mayor Goode said no and added that the item has been removed from the consent agenda.

Following the removal of Items “d”, “k” and “l”, moved by Contreras/LaRusso to approve the remainder of the consent agenda. The roll call vote was:

Aye: LaRusso, Meehan, Palmer, Hand, Contreras and Goode

Nay: Walker

Motion carried.

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Mrs. Walker asked about the disposition of Item “I” and Mayor Goode said the City Manager has indicated that this will be done by emergency purchase.

With the exception of Items “d”, “k” and “I”, the consent agenda was approved as follows:

- a. Supplement No. 212 to the Continuing Consultant’s Contract for engineering services to provide for intersection improvements at Babcock Street/Hibiscus Boulevard, Project No. I04604, Frazier Engineering, Inc., Melbourne, FL - \$39,700.
- b. Approval of a Disaster Relief Funding Agreement (Hurricane Frances) between the State of Florida Department of Community Affairs and the City of Melbourne and authorization for the City Manager to execute the agreement and other documents pertaining thereto.
- c. Approval of a Disaster Relief Funding Agreement (Hurricane Jeanne) between the State of Florida Department of Community Affairs and the City of Melbourne and authorization for the City Manager to execute the agreement and other documents pertaining thereto.
- d. Approval of an interlocal agreement between Brevard County and the City of Melbourne providing for participation in the Brevard County Educational Facilities Impact Fee Ordinance. (Removed from agenda.)
- e. Purchase of CIBA Magnaflock LT®22S dry polymer, Fort Bend Services, Inc., Stafford, TX - \$1.75/lb for a total annual cost of \$42,350 based on an estimated annual usage of 24,200 pounds.
- f. Purchase of Hychem produced LC-214PWG Polymer, LeahChem Industries, Titusville, FL - \$1.45/lb for a total annual cost of \$28,710, based on an estimated annual usage of 19,800 pounds.
- g. Purchase of a Detroit Diesel/MTV Model 150DSEGB portable diesel engine driven generator set, Florida Detroit Diesel-Allison, Orlando, FL - \$38,499.
- h. Purchase of annual Novell NetWare and GroupWise support service, Viable Solutions, Inc., Orlando, FL - \$22,345.
- i. Approval of blanket purchase orders for replacement pumps for lift stations, Type 1, submersible, E.K. Phelps & Company, Apopka, FL - \$50,000, and Type 2, above ground, R.C. Beach & Associates, Inc., Dunedin, FL - \$10,000.
- j. Annual contract award for the purchase of 2,500 composite meter boxes without lids, Ferguson Waterworks, Orlando, FL - \$28.40/unit for a total estimated annual cost of \$71,000.

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- k. Contract award for wrecker services to the City for removal, recovery, and transport of City vehicles, Kendall Towing & Recovery, Melbourne, FL - \$20,000 estimated annual usage. (Removed from agenda.)
 - l. Emergency purchase for roof replacement at the Police Department Administration building on Apollo Boulevard, National Roofing South Florida, Inc., Melbourne, FL - \$254,652. (Removed from agenda.)
 - m. Consultant selection to provide services to prepare the Downtown Melbourne CRA district expansion, redevelopment plan, and economic analysis, Strategic Planning Group, Inc., Melbourne, FL and authorization for the City Manager to negotiate a contract.
 - n. Approval of HOME Program budget adjustments to facilitate closeout of the FY 1999 HOME grant and to allocate \$20,589.66 in HOME recaptured funds.
 - o. Approval of a waiver of the requirement of a Recipient Selection Committee for Cycle 11 only of the HOME Tenant Based Rental Assistance program.
 - p. Approval to transfer \$20,000 of Melbourne's FY 2004 CHDO allocation to Brevard County for the North Brevard Charities Sharing Center Homeless Transitional Housing Project subject to commitment of funds pledged by other Consortium members and authorization for the City Manager to execute the related transfer documents.
 - q. Approval of a new subordination policy and revisions to existing policies for City Housing Assistance Programs.
 - r. Resolution No. 1907: A resolution amending the maximum allowable purchase price applicable to the State Housing Initiative Partnership Program from \$121,390 and \$105,935 for new and existing homes to the U.S. Department of Treasury limit of \$189,682 and authorization for the City Manager to notify the Florida Housing Finance Corporation of the changes.
 - s. Resolution No. 1908: A resolution designating those persons authorized to sign checks on behalf of the City of Melbourne.
22. COUNCIL ACTION RE: Purchase of a 2004 Pierce Custom 75 foot aluminum ladder truck, Pierce Manufacturing, Inc., Appleton, WI - \$456,898.

From the agenda report: This item is a combined recommendation from the Fire Department, the Fleet Division of Public Works & Utilities, and the Purchasing Division of the Finance Department for purchase of a demonstration model (like new) fire truck at substantial discount. The various features of the truck are documented as well as the

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fact that it receives full warranty and allows a better equipment acquisition result than originally budgeted i.e. 75-foot ladder versus 55-foot ladder apparatus.

The recommendation is for approval of the purchase of a 2004 Pierce Custom 75-foot aluminum ladder truck from Pierce Manufacturing, Inc., Appleton, WI, for the total cost of \$456,898, delivered (including trade-in of Unit 1110E).

Moved by Contreras/LaRusso for approval of the recommendation. Motion carried unanimously.

23. COUNCIL ACTION RE: Request for the City to waive its liability insurance requirement for 2004 Veterans' Day Parade. (Requested by Council Member Ed Palmer)

The City Manager briefed Council. The following is an excerpt from the agenda report: Ed Palmer, on behalf of Honor America, has requested that the City of Melbourne waive its requirement for liability insurance for the 2004 Veteran's Day Parade. Honor America made a similar request last year and, rather than waiving the requirement, the City Council agreed to cover the cost of the insurance for one year only. The approximate cost of providing insurance for this event is \$675 - \$725.

Mr. Palmer has indicated that Honor America was not able to conduct one of its major fundraising activities as a result of a hurricane. A portion of the proceeds from the fundraising event was to be used to cover the insurance requirements for the parade.

For information, the City Council approved a \$12,000 grant to Honor America for 2004-2005. City staff does not have the authority to waive the insurance requirement; therefore, this is a policy decision for City Council.

Moved by Walker/LaRusso to make a grant to Honor America equal to the amount required to cover the cost of insurance.

Council Member Cheryl Palmer asked staff to notify Honor America that next year the cost for insurance should be taken from the annual grant from the City. Mayor Goode agreed and there were no objections from Council.

Mrs. Walker said she intends to support the item because Honor America was not able to conduct its fundraising event due to a hurricane.

The question was called. Motion carried unanimously.

24. COUNCIL DISCUSSION RE: Zoning Board of Adjustment denial of a variance request from Brevard County Parks & Recreation to allow landscape timbers in lieu of standard concrete curbing at the South Brevard Senior Center, 618 East Melbourne Avenue. (Requested by Council Member Ed Palmer)

This item was withdrawn by Mr. Palmer (see discussion immediately after Item #18).

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25. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

Vice Mayor Contreras said that several constituents have notified him that the special permitting waivers for repair of hurricane damage have ended. He noted that folks are still trying to contact contractors and he would like for Council to consider extending the waiver.

The City Manager said he was not aware that the waivers had ended; however, he will determine the status.

Council Member Palmer said she heard that the City Manager will be recommending who the buyer will be for the SunTrust property located in Downtown Melbourne. Mr. Schluckebier said he is not certain where that information derived. The City is not participating in that process. He elaborated on his knowledge about the bid process and commented that this is strictly a willing seller/buyer arrangement.

Mrs. Palmer said she would like for Architect Herb Sands to provide a presentation on all the options for a new City Hall. She added that she is opposed to the \$3 million renovation of City Hall and she would like the new Council to have an opportunity to look at all the possibilities.

Mrs. Hand stated that she is also not happy about renovating this building and added that it is an eyesore.

Mayor Goode said that City Hall is located in Downtown Melbourne and, as far as he is concerned, it will stay in Downtown Melbourne.

Moved by C. Palmer/Hand to have Herb Sands review (with Council) the plans, drawings and cost estimates previously prepared for Council.

The City Manager asked Council to be aware that in the last budget the City Council authorized \$300,000 for the design relating to the renovation. This year Council authorized proceeding with construction and bonding.

Mrs. Palmer asked if that process can be halted. Mr. Schluckebier said that a contract is on the way. A local firm, BRPH, is about half way through its process with a deliverable date of late January/early February.

Mrs. Palmer asked for a status report on the design by BRPH.

Mayor Goode said he feels that this Council should abide by the decision of the previous Council. City Hall was not a campaign issue for him and he would advise Council to vote against the motion.

The question was called. The roll call vote was:

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Aye: LaRusso, Palmer, and Hand

Nay: Meehan, Walker, Contreras and Goode

Motion failed.

Mr. Contreras reported that at the October 12 City Council meeting he attempted to earmark the funds from the sale of the Red Cross property for the cost of a new fire station in Southwest Melbourne.

Moved by Contreras/Walker that the funds derived from the sale of the Red Cross property be directed toward the cost of a new fire station in South Melbourne.

In response to the Mayor, Mr. Schluckebier said that in the past similar revenue was dedicated to the capital project reserve rather than being specified for a particular project. The fire station is scheduled to be financed with a bond issuance next year. The approximate cost of the fire station will be \$600,000 - \$700,000 and the proceeds from the sale of the property will be \$257,000.

The question was called. The roll call vote was:

Aye: LaRusso, Meehan, Walker, Palmer, Hand, Contreras and Goode

Nay: None

Motion carried unanimously.

Mr. Contreras briefly discussed whether Council should consider asking board applicants to appear before Council. A brief discussion followed and no action was taken.

Mr. Schluckebier reported on the following:

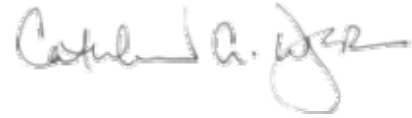
- A full-page ad will appear in the Thursday edition of the Florida Today recognizing all the City employees who worked the weekends of the hurricanes.
- There was a recent effort by the St. Johns River Water Management District to alter the general rules for reuse water. The change would have been very restrictive. After several communications from the City and from other agencies, the District withdrew its proposal.
- The City received a letter from Brevard County inquiring whether the City would be willing to take responsibility of maintenance and drainage of County roadways. We have an agreement to the contrary with the County specific on

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how that happens. City staff is investigating what the County meant by the letter and the issue will be reported to City Council.

26. ADJOURNMENT

Mayor Goode declared the meeting adjourned at 8:18 p.m.



City Clerk – 11/16/2004

Approved by Council: November 23, 2004